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Attorney for Defendant
Jonathan A. Novak

OK/HAV

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	No. CR S-04-472-DFL
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER
)	
JONATHAN A. NOVAK,)	
)	
Defendant.)	
_____)	

Plaintiff United States of America, by its counsel, Assistant United States Attorney Laura Ferris, and defendant Jonathan A. Novak, by his counsel, Ned Smock, hereby stipulate and agree that the status hearing now scheduled for October 20, 2005 at 10:00 AM be vacated and the case be rescheduled for status on November 10, 2005 at 10:00 AM.

This continuance is being requested by defense counsel because the parties anticipate a misdemeanor plea to occur before Magistrate Judge Nowinski within a matter of days. The November 10, 2005 status hearing can be vacated as soon as the plea is entered. It is stipulated that the period from the date of the signing of this order

1 to November 10, 2005 be excluded in computing the time within which
2 trial must commence under the Speedy Trial Act, pursuant to 18 U.S.C.
3 § 3161(h) (8) (B) (iv) and Local Code T4 for continuity and preparation
4 of counsel.

5 Respectfully submitted,

6 MCGREGOR SCOTT
7 United States Attorney

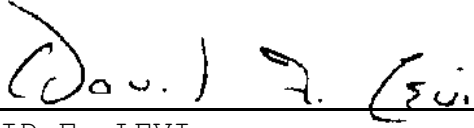
8 DATED: October 19 , 2005 /s/ Laura Ferris
9 LAURA FERRIS
10 Assistant U. S. Attorney

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12 DATED: October 19 , 2005 /s/ Ned Smock
13 NED SMOCK
14 Attorney for Defendant
15 JONATHAN A. NOVAK

16 **O R D E R**

17 FOR GOOD CAUSE SHOWN IT IS SO ORDERED.

18
19 DATED: October _20, 2005

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21 
22 DAVID F. LEVI
23 United States District Judge
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